

**2005 DRAFTING REQUEST**

**Bill**

Received: 01/14/2005

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Kraus**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **State Finance - bud generally**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

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**Pre Topic:**

DOA:.....Kraus, BB0399 -

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**Topic:**

Government Improvement Initiative Lapses

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**Instructions:**

See Attached.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/P1	rchampag 01/14/2005	kfollett 01/14/2005	pgreensl 01/14/2005	_____	lnorthro 01/14/2005		State
/P2	rchampag 01/22/2005	kfollett 01/22/2005	chaugen 01/23/2005	_____	sbasford 01/24/2005		State
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/4	rchampag 01/28/2005	csicilia 01/28/2005	pgreensl 01/28/2005	_____	lemery 01/28/2005		State
/5	rchampag 01/30/2005	jdye 01/31/2005	rschluet 01/31/2005	_____	mbarman 01/31/2005		State
/6	rchampag 02/06/2005	csicilia 02/07/2005	jfrantze 02/07/2005	_____	lemery 02/07/2005		

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Handwritten notes and signatures: 15 1/31 JL, [Signature], 31 5

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14 g/s 1/28  
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*Handwritten notes:*  
1/P2 kf  
1/22  
ch 1-23  
3/5  
<END>

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FE Sent For:

<END>

## 2005-07 Budget Bill Statutory Language Drafting Request

- Topic: DOA Secretary to lapse certain funds.
- Tracking Code: BB0399
- SBO team: Special projects
- SBO analyst: Jennifer Kraus
  - Phone: 266-2214
  - Email: jennifer.kraus@doa.state.wi.us
- Agency acronym: DOA
- Agency number: 505

1. Allow the DOA Secretary to direct agencies to lapse \$?? ( we are still refining the exact \$ amount) of non-federal funds from appropriations to be determined by the Secretary by the end of the biennium based on the Government Improvement and Attorney Consolidation initiatives.

## Champagne, Rick

---

**From:** Champagne, Rick  
**Sent:** Wednesday, January 12, 2005 2:25 PM  
**To:** Kraus, Jennifer - DOA  
**Subject:** RE:

Jenny:

Whatever works the best and easiest is fine with me. I will keep redrafting it as the e-mails come over, though at some point the final version of the table is going to have to be signed off on.

Rick

-----Original Message-----

**From:** Kraus, Jennifer - DOA  
**Sent:** Wednesday, January 12, 2005 2:14 PM  
**To:** Champagne, Rick  
**Subject:** RE:

Rick - the PR lapses are going to come into me piecemeal, I'm afraid. If ok with you, I will just forward people's e-mails. Jenny

-----Original Message-----

**From:** Champagne, Rick [mailto:Rick.Champagne@legis.state.wi.us]  
**Sent:** Wednesday, January 12, 2005 1:12 PM  
**To:** Kraus, Jennifer - DOA  
**Subject:** RE:

Jenny:

1. Yes, we can use 2003 Wisconsin Act 33, Section 9160 (2x) as our model. I will need from you the dollar amount and a good descriptive phrase to describe from where these moneys are being taken. For example, under 9160 (x) the draft read "...from allocations for information technology projects that would have been undertaken in those fiscal years with funding from those appropriations." We would need a similar sort of descriptive statement for your lapses and transfers, such as:

"from allocations for human resources and payroll functions, server and network support, and certain procurement functions that would have been undertaken in those fiscal years with funding from those appropriations."

2. I'll wait to hear from you on the atty. draft route for doing those lapses.

3. By the way, I sent over the draft making the lapses from the various PR appropriations; let me know if any more lapses need to be made.

talk to you soon.

Rick

-----Original Message-----

**From:** Kraus, Jennifer - DOA  
**Sent:** Wednesday, January 12, 2005 1:00 PM  
**To:** Champagne, Rick  
**Subject:** RE:

Rick -

1)the government improvement initiative (it was previously known as EASI, if that helps?) involves consolidation of human resource/payroll, server and network support and procurement functions at DOA. I

don't believe that you have a draft on it because we are not transferring incumbents. We will be making FTE and \$ adjustments in the budget system however. Is it a problem to reference it in non-stat?

2) I'll discuss this over here - we were thinking one lapse number but I see your point on separating at least the attorney one out given the possibility that it could be deleted or modified by the Leg.

3) Can we use the model of 2003 Act 33 Non stat; other Section 9160 (2x) as vetoed?

Thanks- Jenny

-----Original Message-----

**From:** Champagne, Rick [mailto:Rick.Champagne@legis.state.wi.us]  
**Sent:** Tuesday, January 11, 2005 8:14 AM  
**To:** Kraus, Jennifer - DOA  
**Subject:**

Jenny:

Receive your request regarding the lapsing of certain funds to general fund. A couple of points:

1. I'm aware of the attorney consolidation initiative, but what is the government improvement initiative? Does it have a LRB number?

2. In the past, we have built these lapsing provisions into the underlying drafts and not as stand alone drafts if they relate to other drafts in the budget. This probably makes the most sense, since if the initiatives are taken out by Joint Finance the lapsing provisions for those initiatives will easily be taken out as well. So, for example, I would redraft the attorney consolidation draft to include this lapsing provision for that initiative. Let me know what you think.

3. There are a couple of models for this lapsing provision that we have used in past budgets. You can look under DOA or GENERAL Nonstat sections in 2003 Wisconsin Act 33 to see them. I should also add that you probably also want transfers from funds as well as lapses from accounts in the General Fund. We usually advise that you don't transfer moneys from DETF or SWIB since these are trust funds agencies.

Rick

Rick Champagne  
Senior Staff Counsel  
Legal Section  
Wisconsin Legislative Reference Bureau  
1 East Main St.  
Suite 200  
Madison, WI 53703  
(608) 266-9930  
FAX (608) 264-6948  
rick.champagne@legis.state.wi.us



*1/14 or 1/18*

LRB-1710/P1

RAC: *[Signature]*

*[Signature]*

DOA:.....Kraus, BB0399 - Government Improvement Initiative Lapses  
FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

*Do Not Gen*

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

STATE GOVERNMENT

STATE FINANCE

\* <sup>915</sup> The bill requires the secretary of administration to lapse or transfer to the general fund from the unencumbered balances of the appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to **XXXX** during the 2005-07 fiscal biennium. The secretary of administration shall lapse or transfer these moneys from allocations for human resources and payroll functions, server and network support, and certain procurement functions that would have been undertaken in that fiscal biennium with funding from those appropriations.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 SECTION 9155. Nonstatutory provisions; other.

3 (1) LAPSE OR TRANSFER OF CERTAIN APPROPRIATION BALANCES TO THE GENERAL FUND.

1 <sup>Create auto ref</sup> (A) (a) <sup>A.R. (B)</sup> Notwithstanding section 20.001 (3) (a) to (c) of the statutes, except as  
 2 provided in paragraph (b), the secretary of administration shall lapse to the general  
 3 fund or transfer to the general fund from the unencumbered balances of the  
 4 appropriations, other than sum sufficient appropriations and appropriations of  
 5 federal revenues, an amount equal to ~~XXXX~~ during the 2005-07 fiscal biennium.  
 6 The secretary of administration shall lapse or transfer these moneys from allocations  
 7 for human resources and payroll functions, server and network support, and certain  
 8 procurement functions that would have been undertaken in that fiscal biennium  
 9 with funding from those appropriations.

10 <sup>Create auto ref</sup> (B) (b) <sup>A.R. (A)</sup> The secretary of administration may not lapse or transfer moneys to the  
 11 general fund from any appropriation under paragraph (a) if the lapse or transfer  
 12 would violate a condition imposed by the federal government on the expenditure of  
 13 the moneys or if the lapse or transfer would violate the federal or state constitution.

14 (END)

*D-Note*

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1710/P1dn

RAC: *JS*

*Date*

Jennifer Kraus:

Per your request, this provision is modeled after 2003 Wisconsin Act 33, section 9160<sup>✓</sup> (2x). Please review my description of the moneys that may be lapsed or transferred; the description is based on your brief e-mail narrative. Also, once you know the dollar amounts that will be lapsed or transferred, please advise and I will redraft.

Rick A. Champagne  
Senior Legislative Attorney  
Phone: (608) 266-9930  
E-mail: rick.champagne@legis.state.wi.us

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1710/P1dn  
RAC:kjf:pg

January 14, 2005

Jennifer Kraus:

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Rick A. Champagne  
Senior Legislative Attorney  
Phone: (608) 266-9930  
E-mail: rick.champagne@legis.state.wi.us

## Champagne, Rick

---

**From:** Kraus, Jennifer - DOA  
**Sent:** Saturday, January 22, 2005 8:03 AM  
**To:** Champagne, Rick  
**Cc:** Caucutt, Dan  
**Subject:** RE: LRB Draft: 05-1710/P1 Government Improvement Initiative Lapses

Rick - Can you include language that would limit the lapses to state operation appropriations and to exclude the courts and the legislature completely. Thanks - Jenny

-----Original Message-----

**From:** Kraus, Jennifer - DOA  
**Sent:** Thursday, January 20, 2005 12:25 PM  
**To:** Champagne, Rick  
**Subject:** RE: LRB Draft: 05-1710/P1 Government Improvement Initiative Lapses

yes thanks.

-----Original Message-----

**From:** Champagne, Rick [mailto:Rick.Champagne@legis.state.wi.us]  
**Sent:** Thursday, January 20, 2005 12:23 PM  
**To:** Kraus, Jennifer - DOA  
**Subject:** RE: LRB Draft: 05-1710/P1 Government Improvement Initiative Lapses

Thanks. I'm drafting for Dennis a similar lapse provision for the attorney consolidation draft, but will include it in the atty. consolidation draft.

-----Original Message-----

**From:** Kraus, Jennifer - DOA  
**Sent:** Thursday, January 20, 2005 12:22 PM  
**To:** Champagne, Rick  
**Subject:** FW: LRB Draft: 05-1710/P1 Government Improvement Initiative Lapses

Rick - I'm still refining this number but wanted to give you a heads up that they are still going back and forth on whether to "book" this money or put it in the rainy day fund. I'll let you know as soon as I can.

Jenny

-----Original Message-----

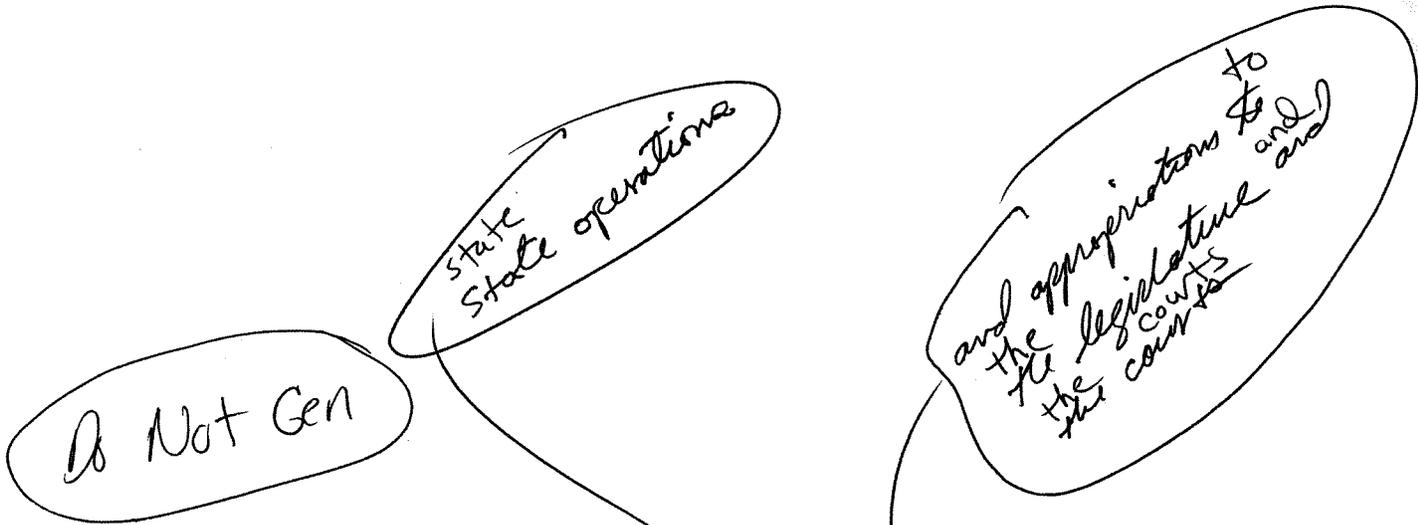
**From:** Greenslet, Patty [mailto:Patty.Greenslet@legis.state.wi.us]  
**Sent:** Friday, January 14, 2005 1:10 PM  
**To:** Kraus, Jennifer - DOA  
**Cc:** Hanaman, Cathlene; Haugen, Caroline; Merry-Mason, Monica  
**Subject:** LRB Draft: 05-1710/P1 Government Improvement Initiative Lapses

Following is the PDF version of draft 05-1710/P1.



RMR

DOA:.....Kraus, BB0399 - Government Improvement Initiative Lapses  
FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION



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**STATE FINANCE**

This bill requires the secretary of administration to lapse or transfer to the general fund from the unencumbered balances of the appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to **XXXX** during the 2005-07 fiscal biennium. The secretary of administration shall lapse or transfer these moneys from allocations for human resources and payroll functions, server and network support, and certain procurement functions that would have been undertaken in that fiscal biennium with funding from those appropriations.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 **SECTION 9155. Nonstatutory provisions; other.**

3 (1) LAPSE OR TRANSFER OF ~~CERTAIN~~ APPROPRIATION BALANCES TO THE GENERAL FUND.

STATE OPERATIONS

1 (a) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, except as  
 2 provided in paragraph (b), the secretary of administration shall lapse to the general  
 3 fund or transfer to the general fund from the unencumbered balances of ~~the~~  
 4 appropriations, other than sum sufficient appropriations and appropriations of  
 5 federal revenues, an amount equal to **XXXX** during the 2005-07 fiscal biennium.  
 6 The secretary of administration shall lapse or transfer these moneys from allocations  
 7 for human resources and payroll functions, server and network support, and certain  
 8 procurement functions that would have been undertaken in that fiscal biennium  
 9 with funding from those appropriations.

state operations

10 (b) <sup>1.</sup> The secretary of administration may not lapse or transfer moneys to the  
 11 general fund from any appropriation under paragraph (a) if the lapse or transfer  
 12 would violate a condition imposed by the federal government on the expenditure of  
 13 the moneys or if the lapse or transfer would violate the federal or state constitution.

(END)

14  
 Insert  
 2-14

RAC:kjf

Date

D-Note

Let me know when you have the  
 dollar amounts and I will redraft.

RAC

2005-2006 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1710/P2ins  
RAC::

**Insert 2-14:**

② 1. The secretary of administration may not lapse or transfer moneys to the general fund from any appropriation under subchapters VII and VIII of chapter 20 of the statutes.

*under paragraph (a)*

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1710/P2dn  
RAC:kjf:ch

January 23, 2005

Let me know when you have the dollar amounts and I will redraft.

Rick A. Champagne  
Senior Legislative Attorney  
Phone: (608) 266-9930  
E-mail: rick.champagne@legis.state.wi.us

## Champagne, Rick

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**From:** Kraus, Jennifer - DOA  
**Sent:** Monday, January 24, 2005 4:03 PM  
**To:** Champagne, Rick  
**Subject:** FW: LRB Draft: 05-1710/P2 Government Improvement Initiative Lapses

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged



05-1710/P2



05-1710/P2dn

Hi Rick - I think I have a number for you....\$35,232,800.

Much of this savings estimate is based on savings related to redoing procurment contrcts - do yu think our current language covers that?

Also, a piece of the savings is related to improved operations and maintenance in all state-owned properties, especially related to custodial, and through improved management of the state's leases and consolidation of space - can you add something on that?

Thanks - Jenny

-----Original Message-----

**From:** Haugen, Caroline [mailto:Caroline.Haugen@legis.state.wi.us]  
**Sent:** Sunday, January 23, 2005 6:16 PM  
**To:** Kraus, Jennifer - DOA  
**Cc:** Hanaman, Cathlene; Haugen, Caroline; Merry-Mason, Monica  
**Subject:** LRB Draft: 05-1710/P2 Government Improvement Initiative Lapses

Following is the PDF version of draft 05-1710/P2.



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-1710/P2 /

RAC:kjffch

*Trdan*

*& cjs*

*RMR*

DOA:.....Kraus, BB0399 - Government Improvement Initiative Lapses  
FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

From moneys saved as a result of restructuring contracts, and from efficiencies achieved as a result of space management improvements

The word is "procurements"

Do NOT Gen

\$35,232,800

AN ACT; relating to: the budget.

Analysis by the Legislative Reference Bureau  
STATE GOVERNMENT

STATE FINANCE

This bill requires the secretary of administration to lapse or transfer to the general fund from the unencumbered balances of state operations appropriations, other than sum sufficient appropriations and appropriations of federal revenues and appropriations to the legislature and the courts, an amount equal to ~~XXXX~~ during the 2005-07 fiscal biennium. The secretary of administration shall lapse or transfer these moneys from allocations for human resources and payroll functions, server and network support, ~~and certain procurement functions that would have been undertaken in that fiscal biennium with funding from those appropriations.~~ *and for*

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill. *under*

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 SECTION 9155. Nonstatutory provisions; other.

3 (1) LAPSE OR TRANSFER OF STATE OPERATIONS APPROPRIATION BALANCES TO THE

4 GENERAL FUND.

\$35,232,800

1 (a) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, except as  
 2 provided in paragraph (b), the secretary of administration shall lapse to the general  
 3 fund or transfer to the general fund from the unencumbered balances of state  
 4 operations appropriations, other than sum sufficient appropriations and  
 5 appropriations of federal revenues, an amount equal to ~~XXXX~~ during the 2005-07  
 6 fiscal biennium. The secretary of administration shall lapse or transfer these  
 7 moneys from allocations for human resources and payroll functions, server and  
 8 network support, ~~and certain~~ procurement functions that would have been  
 9 undertaken in that fiscal biennium ~~with funding from those appropriations.~~  
*From moneys saved as a result of restructuring of server and network support, and for contracts, and from efficiencies achieved as a result of space management improvements*

10 (b) 1. The secretary of administration may not lapse or transfer moneys to the  
 11 general fund under paragraph (a) from any appropriation under paragraph (a) if the  
 12 lapse or transfer would violate a condition imposed by the federal government on the  
 13 expenditure of the moneys or if the lapse or transfer would violate the federal or state  
 14 constitution.

15 2. The secretary of administration may not lapse or transfer moneys to the  
 16 general fund under paragraph (a) from any appropriation under subchapters VII and  
 17 VIII of chapter 20 of the statutes.

(END)

## **Champagne, Rick**

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**From:** Kraus, Jennifer - DOA  
**Sent:** Tuesday, January 25, 2005 1:08 PM  
**To:** Champagne, Rick  
**Subject:** RE: LRB Draft: 05-1710/1 Government Improvement Initiative Lapses

No - this is the 2007-09 biennium...

-----Original Message-----

From: Champagne, Rick [mailto:Rick.Champagne@legis.state.wi.us]  
Sent: Tuesday, January 25, 2005 12:58 PM  
To: Kraus, Jennifer - DOA  
Subject: RE: LRB Draft: 05-1710/1 Government Improvement Initiative Lapses

One quick question: should I just increase the amount by \$50,000,000, to allow the secretary to determine the timing of the lapse during the 2005-07 biennium?

-----Original Message-----

From: Kraus, Jennifer - DOA  
Sent: Tuesday, January 25, 2005 12:56 PM  
To: Champagne, Rick  
Subject: FW: LRB Draft: 05-1710/1 Government Improvement Initiative Lapses

Rick - Late breaking change - we want to add a provision that directs the DOA Secretary to lapse an additional \$25 mn in each year of the next biennium (2007-09) related to more procurement strategic sourcing....Call me if you have questions.  
Thanks - Jenny

-----Original Message-----

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.state.wi.us]  
Sent: Monday, January 24, 2005 6:40 PM  
To: Kraus, Jennifer - DOA  
Cc: Hanaman, Cathlene; Haugen, Caroline; Merry-Mason, Monica  
Subject: LRB Draft: 05-1710/1 Government Improvement Initiative Lapses

Following is the PDF version of draft 05-1710/1.